UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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| **UNITED STATES OF AMERICA,** Plaintiff, v. **Claudio JUAREZ-Mendez** Defendant. | ) | Magistrate Case No. '08 MJ 2020 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326; Deported Alien Found in the United States |

The undersigned complainant, being duly sworn, states:

On or about**, July 1, 2008**, within the Southern District of California, defendant, **Claudio JUAREZ-Mendez**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Immigration Enforcement Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **2nd** DAY OF **July 2008.**

UNITED STATES MAGISTRATE JUDGE

SUP

# PROBABLE CAUSE STATEMENT

On July 1, 2008, defendant Claudio JUAREZ-Mendez, a deported alien found in the United States was apprehended by Immigration and Customs Enforcement (ICE) officers assigned to the Violent Criminal Alien Section (VCAS). An ICE Deportation Officer suspected the defendant had returned to the United States after having been removed to Mexico after reviewing sources of information and conducting computer database record checks. This information revealed a location where defendant was possibly residing.

On July 1, 2008, officers from the VCAS conducted surveillance on this residence and observed an adult male resembling the photo of the defendant exit the residence and proceed to the door of a pickup truck registered in Juarez's name. Defendant was then identified and apprehended.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant was most recently ordered removed from the United States by the Board of Immigration Appeals on or about May 28, 1997 and physically removed to Mexico on or about July 11, 1997 via the Otay Mesa Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) and Automated Fingerprint Identification System (IAFIS) were utilized and compared the defendant's fingerprints to those contained in this database. The results confirmed the defendant's identity as Claudio JUAREZ-Mendez, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.